

EXHIBIT F

Audio Recording of June 14, 2018 Disciplinary Hearing

STATE DEF 001275

(submitted electronically to the Court as per instructions from chambers)

NEW YORK STATE
OFFICE OF THE ATTORNEY GENERAL

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AUDIO FILE:

"Wills 17A3437 6-14-18"

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Appearances:

Male Speaker 1

Ruben Wills

Transcribed by: ANP Transcriptions

1 [START RECORDING - Wills 17A3437 6-14-18]

2 MALE SPEAKER 1: It's Hudson Correctional
3 Facility. My name is [unintelligible], the Hearing
4 Officer. This is tape recorder 321 for inmate
5 Wills. 17A3437. All right. Today is June 14,
6 2018. Time is approximately 10:53 a.m. I'm
7 [unintelligible], the Hearing Officer designated by
8 [unintelligible] to conduct this hearing down at
9 [unintelligible] at Hudson Correctional Facility.
10 In the room [unintelligible] inmate Wills. Just
11 state your name and DIN number for the record.

12 MR. RUBEN WILLS: Wills, 17A3437.

13 MALE SPEAKER 1: All right. This is a
14 tier 2 [unintelligible] disciplinary procedure.
15 Everything's recorded. Speak up clearly and
16 [unintelligible] speaking [unintelligible] will
17 record all of your testimony. You may have
18 witnesses on your behalf. Nothing said by you will
19 be held against you in any criminal proceeding.
20 Present any oral or documentary evidence you wish
21 to be considered by me during the hearing. Any
22 claims, defenses, or objections you raise should be
23 made properly during this hearing, so that they may
24 be considered by me and if possible responded to.
25 Right. Do you understand those rights and

1 obligations?

2 MR. WILLS: Yes.

3 MALE SPEAKER 1: All right. With a copy
4 of the [unintelligible] report on June 4th at 5:40
5 p.m. by [unintelligible]. Did you get your copy?

6 MR. WILLS: Yes.

7 MALE SPEAKER 1: All right. I'm gonna
8 read and [unintelligible] it into the record.
9 Hudson Correctional, Wills, Reuben, 17A3437,
10 [unintelligible] location [unintelligible] incident
11 location with the [unintelligible]. Incident date
12 was June 1, 2018, [unintelligible]. Three
13 violations. All right. [Unintelligible]
14 unauthorized type of medication in
15 [unintelligible]. All right.
16 Smuggling -- smuggling contraband and
17 [unintelligible] prescription on the above date and
18 approximate time while conducting a search of
19 inmate Wills' locker, I discovered a prescription
20 medication bottle with two different types of pills
21 inside. After conducting the search, I bought the
22 bottle to nurse [unintelligible] to identify the
23 pills. She identified 14 of the pills as
24 [unintelligible]. [unintelligible] prescription
25 pills nor are they allowed inside the vicinity by

1 inmates. [Unintelligible] report date of June 1,
2 2018, [unintelligible] correctional officer. Okay.
3 You have two charges. You got to plea. I'll read
4 each one to you. Unauthorized medication, 1/13/14,
5 do you plead guilty or not guilty?

6 MR. WILLIS: Not guilty.

7 MALE SPEAKER 1: All right. So, not
8 guilty. And smuggling, 1/14/10?

9 MR. WILLIS: Not guilty.

10 MALE SPEAKER 1: Not guilty.

11 [Unintelligible] not guilty plea to the weapon.
12 Check them out. Those are your pleas, right?

13 MR. WILLIS: Yes.

14 MALE SPEAKER 1: Not guilty. All right.
15 So, sign on line 12. Sign, date and time. Put the
16 date and time.

17 MR. WILLIS: Yes, sir.

18 MALE SPEAKER 1: [unintelligible]. Did
19 you put --

20 MR. WILLIS: I put [unintelligible], sir.

21 MALE SPEAKER 1: [Unintelligible].

22 MR. WILLIS: [unintelligible] initially?

23 MALE SPEAKER 1: Yeah. [Unintelligible].

24 Okay. All right. Do you have an explanation? Go
25 ahead. Tell me your side, what happened.

1 MR. WILLIS: Smuggling, [unintelligible]
2 is that how do you get somebody [unintelligible]
3 smuggling because you came in possession something
4 you don't have a place to [unintelligible].
5 Because if somebody bringing something in, I don't
6 see how you can charge somebody with that.

7 MALE SPEAKER 1: Anything that's
8 unauthorized --

9 MR. WILLIS: That's not --

10 MALE SPEAKER 1: Anything that's not
11 authorized by superintendent into the facilities,
12 contraband its smuggling. So, it -- it ends up
13 inside the jail. But before we get to that
14 charge, --

15 MR. WILLIS: Right.

16 MALE SPEAKER 1: -- types of medication
17 is -- what do you say about the pills that they
18 found in your locker?

19 MR. WILLIS: Because they found in my
20 locker, obviously, that from another facility.

21 MALE SPEAKER 1: Did you have
22 authorization to have them in this facility?

23 MR. WILLIS: How would I get authorization
24 to have something to have [unintelligible]?

25 MALE SPEAKER 1: You got to go through

1 medical. [Unintelligible] -- who gave you NyQuil?

2 MR. WILLIS: They gave me --

3 MALE SPEAKER 1: Were they NyQuil pills?

4 MR. WILLIS: Yes.

5 MALE SPEAKER 1: Do you agree that they
6 gave you a NyQuil pills?

7 MR. WILLIS: At another facility, legally,
8 yes.

9 MALE SPEAKER 1: And who's
10 that -- where's that?

11 MR. WILLIS: At Ulster.

12 MALE SPEAKER 1: Ulster gave it to you?

13 MR. WILLIS: Yes, they did.

14 MALE SPEAKER 1: All right. When did you
15 get to Hudson?

16 MR. WILLIS: I got to Hudson this year
17 in --

18 MALE SPEAKER 1: I looked it up but then
19 you can --

20 MR. WILLIS: At -- roughly
21 May -- April -- April 6th.

22 MALE SPEAKER 1: So, you've been here
23 over a month or two months.

24 MR. WILLIS: I've been here for two
25 months.

1 MALE SPEAKER 1: Two months?

2 MR. WILLIS: Right. Yes, sir.

3 MALE SPEAKER 1: So, you had those NyQuil
4 pills and you didn't think to go to medical and
5 say, hey, I got these pills?

6 MR. WILLIS: I didn't think to do it?

7 MALE SPEAKER 1: Yeah.

8 MR. WILLIS: No.

9 MALE SPEAKER 1: Who gave them to you at
10 Ulster?

11 MR. WILLIS: A nurse at Ulster gave them
12 to me on a quick trip because I had a severe
13 infection and that's in my medical records.

14 MALE SPEAKER 1: All right.

15 MR. WILLIS: I had a ear infection, I had
16 a fever. I had just been remanded. I was going
17 down to court to the city on a court trip. I was
18 in a wheelchair.

19 MALE SPEAKER 1: All right.

20 MR. WILLIS: He goes [unintelligible]--

21 MALE SPEAKER 1: Any pills -- any
22 medication you have in this facility --

23 MR. WILLIS: Yes.

24 MALE SPEAKER 1: -- has to be -- come
25 from this facility.

1 MR. WILLIS: Okay.

2 MALE SPEAKER 1: All right. And when
3 they usually give you pills, they don't -- they
4 don't last forever. They only -- they usually put
5 a date on those pills. All right?
6 [Unintelligible] some pills, they're good for a
7 week. They're good for 30 days. You know what I
8 mean? You don't get pills and say, okay,
9 [unintelligible].

10 MR. WILLIS: I -- I -- I -- I am very
11 familiar with that --

12 MALE SPEAKER 1: All right.

13 MR. WILLIS: -- and I know about over the
14 counter, expired medication, I'm familiar with
15 that.

16 MALE SPEAKER 1: Exactly.

17 MR. WILLIS: But the -- I was given them
18 to me by a nurse in Ulster and I went through
19 Marcy, --

20 MALE SPEAKER 1: Uh-huh (affirmative).

21 MR. WILLIS: -- had them because every
22 time you come back, you -- you have to search in my
23 [unintelligible] --

24 MALE SPEAKER 1: Uh-huh (affirmative).

25 MR. WILLIS: -- come back from a court

1 trip, several times I went back down and forth, I
2 took the same medication. And when I came through
3 here, --

4 MALE SPEAKER 1: Uh-huh (affirmative).

5 MR. WILLIS: -- I had the medication. So,
6 for me to be hit with a [unintelligible], even the
7 contraband is [unintelligible] smuggling.

8 MALE SPEAKER 1: It's not contraband,
9 it's [unintelligible]. This is even worse than
10 contra. This is unauthorized types of meds.

11 MR. WILLIS: Oh, so that's even worse.
12 Smuggling.

13 MALE SPEAKER 1: That's a serious charge.

14 MR. WILLIS: Yeah, its a serious charge.
15 And it's -- it's -- you know, I have a document
16 that I had a ear infection, a bad ear infection and
17 a fever. I believe it was September or October of
18 2017 when I first got remanded. The nurse was very
19 concerned, because I was in a wheelchair for six
20 and a half months. He [unintelligible] and he say
21 that I'm not [unintelligible]. He said I wasn't
22 getting medical attention that I should have got
23 somewhere else. And he gave me permission to take
24 these and you'll be all right. That was it. Now
25 for me to come through the facility and get

1 searched, all in your records, you can see that --

2 MALE SPEAKER 1: Well, you say that you
3 came here with them. I don't know if you brought
4 them in on the trip, or did you bring them from
5 outside because you go outside.

6 MR. WILLS: But when I go outside, I'm
7 straight, sir. When we come outside,
8 [unintelligible] --

9 MALE SPEAKER 1: You know how much stuff
10 we get into the facility when they're searching?
11 How many drugs that we find in the facility?

12 MR. WILLS: I have no doubt
13 that's -- yeah, I see that. [Unintelligible] --

14 MALE SPEAKER 1: So, don't -- it doesn't
15 matter.

16 MR. WILLS: No, I'm not pleading that
17 [unintelligible]. I see the [unintelligible]
18 myself like that, but at the same time, every
19 inmate can't be held responsible for things other
20 inmates do.

21 MALE SPEAKER 1: Exactly.

22 MR. WILLS: And at the same time, if you
23 look at my record, my record is impeccable. I've
24 never had any --

25 MALE SPEAKER 1: So, what I'm gonna do --

1 MR. WILLS: [unintelligible].

2 MALE SPEAKER 1: All right. Do you have
3 any witnesses other than what you told me?

4 MR. WILLS: No.

5 MALE SPEAKER 1: You don't?

6 MR. WILLS: Witnesses to what, sir?

7 MALE SPEAKER 1: Anything. So, your
8 content is not that they found the pills, it's that
9 you had them, you were given to in another
10 facility, and you find that you had them here
11 and -- and that --

12 MR. WILLS: I had a search prior to this.

13 MALE SPEAKER 1: All right.

14 MR. WILLS: So, even if --

15 MALE SPEAKER 1: Again, a prior search
16 doesn't mean that they -- you had them then. Do
17 you understand?

18 MR. WILLS: Okay.

19 MALE SPEAKER 1: So, what I'm gonna do is
20 I'm gonna check with the nurse in
21 your -- and -- and see if you were issued them, and
22 how long you were issued them for, if -- if it's
23 written in your medical documentation.

24 MR. WILLS: Okay.

25 MALE SPEAKER 1: All right? And then

1 we're going to come back, because the issue is and
2 whether you had them or not, all right, you had
3 them. You had them in your possession, you admit
4 to having them.

5 MR. WILLIS: I never lied.

6 [Unintelligible].

7 MALE SPEAKER 1: [Unintelligible] saying.
8 Whether you got them through -- and then you bring
9 them into the facility, that's why you got a charge
10 of smuggling. So, I'm gonna check with your
11 medical record, see what I find out. And then I'm
12 going to come back and we're going to -

13 MR. WILLIS: You can check specifically in
14 September or October.

15 MALE SPEAKER 1: I will.

16 MR. WILLIS: I had a bad ear infection
17 when I was at Ulster. And they gave me that and
18 they also gave me my [unintelligible] and whats the
19 [unintelligible]?

20 MALE SPEAKER 1: [Unintelligible].

21 MR. WILLIS: It was [unintelligible]
22 medication at -- that ulster, I mean, at
23 [unintelligible]. And I've been through Marcey and
24 [unintelligible].

25 MALE SPEAKER 1: That's what I'm gonna

1 do. I'm gonna adjourn the hearing now at 11:01
2 a.m. on June 14, 2018. I'm gonna check with the
3 medical department and then we'll come back and
4 finish up.

5 MR. WILLIS: Okay.

6 [OFF THE RECORD]

7 [ON THE RECORD]

8 MALE SPEAKER 1: All right. Time now is
9 12:02 p.m. on June 14, 2018. Lieutenant
10 [unintelligible], the Hearing Officer.
11 Continuation of the hearing of inmate Willis.
12 [unintelligible] could you state your name and
13 number?

14 MR. WILLIS: Willis, 17A3437.

15 MALE SPEAKER 1: Okay. I -- I called the
16 medical unit and I talked to Mr. Costa [phonetic].

17 MR. WILLIS: Okay.

18 MALE SPEAKER 1: I had to look it on your
19 file now.

20 MR. WILLIS: Okay.

21 MALE SPEAKER 1: During the hearing
22 before we'll see when -- when and if you were
23 issued the NyQuil pills in Ulster.

24 MR. WILLIS: Right.

25 MALE SPEAKER 1: [Unintelligible] to look

1 up your file. [Unintelligible] nurse
2 [unintelligible]. Oh, okay. Lieutenant
3 [unintelligible], I'm doing a hearing on inmate
4 Wills. I called you earlier to review his medical
5 folder. Okay. I'm gonna put you on speaker. Can
6 you hear me? All right, hold on.

7 MALE SPEAKER 2: [Unintelligible].

8 MALE SPEAKER 1: I can't hear you. The
9 volume is [unintelligible]. Yeah, [unintelligible]
10 we can't hear you. How about now? How about now?

11 FEMALE SPEAKER 1: All right. Still hear
12 you.

13 MALE SPEAKER 1: All right, ma'am.
14 You're on -- you're on tape, so just state your
15 name and title.

16 FEMALE SPEAKER 1: Okay. My name is Amy
17 Picasta [phonetic], and I'm an RN.

18 MALE SPEAKER 1: All right. Nurse
19 Picasta, I'm doing a hearing on inmate Wills, who
20 was issued a [unintelligible] report for having
21 NyQuil pills and [unintelligible] pills in his
22 possession. Inmate stated that he received them at
23 Ulster Correctional prior to coming to Hudson.

24 MS. PICASTA: Okay.

25 MALE SPEAKER 1: And I asked you to look

1 up in his medical record, if there's anything when
2 and if he was ever issued them in Ulster. What did
3 you find out?

4 MS. PICASTA: I did not find that he was
5 issued the pills at Ulster.

6 MALE SPEAKER 1: How about Hudson?

7 MS. PICASTA: [Unintelligible] had
8 nothing -- nothing was issued here either.

9 MALE SPEAKER 1: Okay. Nothing in his
10 file saying that he got them from anybody?

11 MS. PICASTA: No, nothing in his file.

12 MALE SPEAKER 1: Can I -- let me ask you
13 this. Do we -- we give inmates NyQuil here or any
14 Quill?

15 MS. PICASTA: We do not.

16 MALE SPEAKER 1: Oh, we don't. If we
17 did, that would be for a limited amount of time or
18 for an open ended period?

19 MS. PICASTA: We do not give it at all.
20 That's what I was told.

21 MALE SPEAKER 1: But all medications are
22 usually given when -- for a certain amount of time?

23 MS. PICASTA: Uh-huh (affirmative).

24 MALE SPEAKER 1: It's not like you can
25 take them for four months later?

1 MS. PICASTA: No.

2 MALE SPEAKER 1: Normally, right?

3 MS. PICASTA: Right.

4 MALE SPEAKER 1: All right. Nothing.

5 Okay. Wait.

6 MR. WILLIS: [Unintelligible].

7 MALE SPEAKER 1: You -- you'll have your
8 chance to ask your questions. You ask me first,
9 and then I'll ask [unintelligible].

10 MR. WILLIS: Can you please ask her that
11 if my record reflects that in September or October,
12 when I went to Ulster, I was treated for ear
13 infection or any type of infection?

14 MALE SPEAKER 1: Okay. Now, what's that
15 got to do with this stuff?

16 MR. WILLIS: Because that's what I got the
17 medication that would show that --

18 MALE SPEAKER 1: Okay. Well, he claims
19 that he had an ear infection when he went to Ulster
20 in September, October last year, and then
21 [unintelligible] check that area, right? Maybe
22 just double check.

23 MS. PICASTA: Yes.

24 MALE SPEAKER 1: Did you check with an
25 ear infection? He claims that's when he got

1 the -- the pills?

2 MS. PICASTA: I am not seeing any record
3 of that.

4 MALE SPEAKER 1: Okay. Do you will have
5 all his medical records right now?

6 MS. PICASTA: Yes. I mean, there are
7 quite a few records here to go through. I would
8 have to, you know, fine tooth comb them. I don't
9 know if that's something --

10 MALE SPEAKER 1: And that's regard to the
11 ear infection you're talking about, right?

12 MS. PICASTA: Correct -- correct.

13 MALE SPEAKER 1: All right. Any other
14 questions you have?

15 MR. WILLS: Yeah, can she please read
16 through the medical records at Ulster.

17 MALE SPEAKER 1: She's got all the
18 records -- all the records in [unintelligible].

19 MR. WILLS: [Unintelligible]. Yeah, if
20 she can please read through it and see either in
21 November -- October or November, I went --

22 MALE SPEAKER 1: No, she can't. She just
23 said she didn't see it in the record.

24 MR. WILLS: No, she said she didn't see
25 it as a fine tooth comb. I know that they were

1 there and I know I had an ear infection and that's
2 why they gave it to me. But there was another time
3 in October, November when I went and they gave me
4 more medication.

5 MALE SPEAKER 1: All right.

6 MR. WILLS: That is medication I was not
7 supposed to have, so you can't look at those.

8 MS. PICASTA: Yes, there -- there might
9 be -- I mean, if there -- did you want me to call
10 Ulster and see if there is any of that on hand?

11 MALE SPEAKER 1: Well, you -- you -- they
12 might give it out there, but I want to know if
13 it -- if it was given to him.

14 MS. PICASTA: Correct.

15 MALE SPEAKER 1: All roight.

16 MS. PICASTA: Okay. So, you tell me if
17 you'd like me to call Ulster.

18 MALE SPEAKER 1: Okay. You can call them
19 and -- does that satisfy you if they call Ulster?

20 MR. WILLS: [Unintelligible] look at my
21 record.

22 MALE SPEAKER 1: But -- and then just
23 look through the record again in September,
24 October, and see if he was issued. Not so much he
25 had an ear infection, but -- but whether he was

1 given the NyQuil pills. I know you said that you
2 already did.

3 MS. PICASTA: Yeah.

4 MALE SPEAKER 1: And maybe just give it
5 one more look --

6 MS. PICASTA: Sure thing.

7 MALE SPEAKER 1: -- and check with Ulster
8 and then I'll check back with you.

9 MS. PICASTA: No problem.

10 MALE SPEAKER 1: All right.

11 MS. PICASTA: Okay.

12 MALE SPEAKER 1: All right. Thank you,
13 ma'am. Thank you, nurse [unintelligible].

14 MS. PICASTA: Thank you. Okay.

15 MALE SPEAKER 1: Thank you. Okay. So,
16 let's do this hearing again. And until I get her
17 back on the phone, okay.?

18 MR. WILLS: Okay.

19 MALE SPEAKER 1: Doing this hearing on
20 June 14, 2018. Okay. We will adjourn this hearing
21 at this time. Time is -- which I don't have the
22 other watch.

23 MR. WILLS: [Unintelligible].

24 MALE SPEAKER 1: All right. 12:09 p.m.,
25 June 14, 2018. We'll conclude this -- we'll

1 adjourn this hearing at this time.

2 [OFF THE RECORD]

3 [ON THE RECORD]

4 MALE SPEAKER 1: The time now, which I
5 don't have again. Do you have the time, ma'am?

6 MS. PICASTA: Yes, I do.

7 MALE SPEAKER 1: What do you have?

8 MS. PICASTA: The time right now --

9 MALE SPEAKER 1: yeah.

10 MS. PICASTA: -- is 12:34.

11 MALE SPEAKER 1: All right. So, 12:34
12 p.m. on June 14, 2018. [Unintelligible] hearing on
13 inmate Wills. [Unintelligible] state your name and
14 DIN number.

15 MR. WILLS: Wills, 17A3437.

16 MALE SPEAKER 1: Okay. On the phone, I
17 have nurse Picasta. Just state your name and
18 title.

19 MS. PICASTA: Nurse Picasta, REGISTERED
20 NURSE.

21 MALE SPEAKER 1: Okay. Ms. Picasta, we
22 adjourned before you went to, again, look through
23 inmate Wills' medical folder and also to check with
24 Ulster. What did you find out?

25 MS. PICASTA: I do see that on September

1 29, 2017, inmate Wills was seen at Ulster
2 Correctional Facility. He did have a right ear
3 infection, was given Ciprodex, which is an
4 antibiotic type [unintelligible]. There was no
5 NyQuil given to the inmate as we do not give that
6 out. It does contain alcohol. We did speak with
7 and verify it with the nurse administrator at
8 Ulster.

9 MALE SPEAKER 1: Okay. And there's no
10 record of them on file?

11 MS. PICASTA: There is no record of that.

12 MALE SPEAKER 1: All right. Do you have
13 any questions for the nurse while she's still on
14 the phone?

15 MR. WILLS: No, [unintelligible]. No.

16 MALE SPEAKER 1: Okay. Thank you nurse
17 Picasta. I appreciate your time.

18 MS. PICASTA: Okay. Thank you.

19 MALE SPEAKER 1: Thank you.

20 MS. PICASTA: Bye-bye.

21 MALE SPEAKER 1: All right. Do you have
22 anything else you want to tell me before I start to
23 take my deposition? No?

24 MR. WILLS: Uh-uh [negative].

25 MALE SPEAKER 1: Nothing?

1 MR. WILLIS: Nothing.

2 MALE SPEAKER 1: All right. Time
3 now -- I got the time back now, the time is 12:35
4 p.m. I'm going to start taking my written
5 deposition, then we'll come back and -- and finish
6 up.

7 [OFF THE RECORD]

8 [ON THE RECORD]

9 MALE SPEAKER 1: The time now is 12:44
10 p.m. Lieutenant [unintelligible], Hearing Officer.
11 Continuation of hearing of inmate Willis
12 [unintelligible]. [Unintelligible] please state
13 your name and number for the record.

14 MR. WILLIS: Willis, 17A3437.

15 MALE SPEAKER 1: All right. On the
16 charge of unauthorized medication 113.14, I do find
17 you guilty. And on the charge of smuggling 114.10,
18 I'm going to find you not guilty, even though you
19 had unauthorized medication. I'm going to find the
20 smuggling, they didn't find you in the act whether
21 you smuggled them in or not, or how you brought
22 them in, if you brought them in yourself, you had
23 somebody else give them to you, we don't know.
24 But -- but I will find you not guilty on that
25 charge. The penalty I will impose will be 30 days

1 [unintelligible] key block. Rec package commissary
2 phones, it's your first ticket, you know, so I
3 consider that a serious charge. I have medication
4 of [unintelligible]. I'm suspending key block 30
5 days. I'm not going to give you any key block
6 time. I'm gonna put it over your head, suspended,
7 you understand that?

8 MR. WILLIS: Yes.

9 MALE SPEAKER 1: So, you're gonna have 30
10 days key block and 90 days -- after 90 days is up,
11 you don't get no tickets, no other hearings, that
12 will go away. All right? But you're going to be
13 on [unintelligible] of rec package commissary phones
14 for 30 days starting today, June 14th, you'll get
15 everything back on July 14th. So, whether you go
16 on -- if you go on a furlough, whatever, this still
17 runs. So, you understand that?

18 OFC PEREZ: Yes.

19 MALE SPEAKER 1: So -- so, you got 30
20 days. So, on July 14th, you get all your
21 privileges back. Key block will be suspended and
22 after 90 days, that'll go away. All right? Do you
23 understand that?

24 MR. WILLIS: Oh, yeah, yes -- yes.

25 MALE SPEAKER 1: All right.

1 MR. WILLIS: Can I reply to it? All
2 right.

3 MALE SPEAKER 1: No, we'll get to that.
4 Evidence relied upon is medical report by Officer
5 [unintelligible], which I find to be credible. And
6 here's just one, your testimony [unintelligible]
7 having the pills in your possession, in your
8 locker. And I called [unintelligible] testimony by
9 Mr. Costa, who states after reviewing your medical
10 file that there's no record of it in the file, that
11 you haven't -- haven't been issued any medical
12 pill. She also testified that she contacted
13 Ulster. They don't give that out because it
14 contains alcohol. All that is evidence relied
15 upon. Also the physical evidence which was
16 recovered by Officer [unintelligible] in your -- in
17 your locker . [Unintelligible] contraband which
18 will be destroyed. Okay. All that was evidence.
19 All right. The reason for this possession of any
20 unauthorized medication is against the Department
21 rule and it's a danger to the facility and of
22 concern to staff and other inmates and yourself.
23 This type of misconduct has the potential to create
24 unsafe situations and medical concerns. This
25 deposition [unintelligible] upon you. Any future

1 misconduct of that nature will result in a more
2 severe sanction [unintelligible]. Do you have any
3 questions on what I just said?

4 MR. WILLIS: No, not about what you said.

5 MALE SPEAKER 1: Okay. All right. So,
6 what you gonna do is just sign here for your
7 copies. I'm gonna give you copies of everything.
8 So, you gonna sign here and date and time for your
9 copies. Okay? If you want to file an appeal, I'll
10 give you an appeal form before you go. All appeals
11 are sent directly to the Superintendent Lewin,
12 L-E-W-I-N. Write that down.

13 MR. WILLIS: L-E --

14 MALE SPEAKER 1: L-E-W-I-N.
15 Superintendent Lewin. You have 72 hours to file.
16 So, you have to get it in the mail within 72 hours.
17 And she'll get back to you when she gets a
18 [unintelligible]. I'll let you know.

19 MR. WILLIS: So, penalties are established
20 even if you're appealing?

21 MALE SPEAKER 1: Yes. You got to -- you
22 got to -- when you write -- when you appeal to
23 superintendent, you got to be specific. Right?
24 You got to be very specific, so she knows what
25 you're objecting to, whether I didn't do this

1 hearing right. You're objecting to the penalty.
2 The penalty is too severe for the charge
3 [unintelligible], it has to be specific. She'll
4 review it. She'll -- she'll send it back to you
5 and her decision. It's up to her. Okay? Sign
6 that for your copies if you want all of these
7 copies.

8 MR. WILLIS: So --

9 THE COURT: All right.

10 MR. WILLIS: All right.

11 MALE SPEAKER 1: Time now is 12:48 p.m.,
12 all right, on June 14, 2018. All right. This
13 concludes this hearing.

14 [END RECORDING - Willis 17A3437 6-14-18]
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C E R T I F I C A T E

I, Hector Solomon, certify that the foregoing transcript of audio file Wills 17A3437 6-14-18 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



Date: January 30, 2023

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